

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

RANDALL HAMPTON, (AIS #226420)

*

Plaintiff,

*

V.

2:06-CV-400-MHT

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PRISON HEALTH CARE SERVICES,

*

Defendant.

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**MOTION TO ALLOW MOTION TO DISMISS, OR, IN THE ALTERNATIVE,
MOTION FOR MORE DEFINITE STATEMENT**

COMES NOW Defendant Prison Health Services, Inc. (incorrectly identified in the Plaintiff's Complaint as "Prison Health Care Services") (hereinafter PHS) and moves the Court, pursuant to its Order of July 14, 2006, to issue an Order allowing it to file a Motion to Dismiss, or, in the Alternative, Motion for More Definite Statement in this matter and in support thereof shows as follows:

1. On May 3, 2006, the Plaintiff filed a Complaint against PHS, the company that contracts with the Alabama Department of Corrections to provide healthcare to inmates in the State of Alabama.
2. The Plaintiff's Complaint is completely void of information indicating how PHS has acted inappropriately in treating the Plaintiff. He simply indicates that he has seizures, has been ignored in "emergency situations," and that something occurred on April 13, 2006.

3. Without some indication describing what PHS is alleged to have done wrong, PHS cannot provide a responsive pleading to the Plaintiff's Complaint. Any response offered by PHS in response to these vague allegations would necessarily be based on conjecture.

WHEREFORE PHS moves this Honorable Court to enter an Order allowing it to file a Motion to Dismiss, or, in the Alternative, Motion for More Definite Statement.

Respectfully submitted,

s/L. Peyton Chapman, III
Alabama State Bar Number CHA060
s/R. Brett Garrett
Alabama State Bar Number GAR085
Attorneys for PHS

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail this the 3rd day of August, 2006, to:

RANDALL HAMPTON, (AIS #226420)
Bullock Correctional Facility
P.O. Box 5107
Union Springs, AL 36089

s/R. Brett Garrett GAR085
Attorney for PHS